

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

IN THE MATTER OF USE OF
ELECTRONIC RECORDINGS OF
TRIAL COURT PROCEEDINGS and
OPERATION OF ELECTRONIC
RECORDING EQUIPMENT BY
COURTROOM CLERKS

ADMINISTRATIVE ORDER
NO. 2001-073

Whereas, the Clerk of the Superior Court is utilizing a digital audio recording system, called "*For the Record*," to memorialize court proceedings, and

Whereas, A.R.S. §38-424 provides for the Court to use audio or video systems to make the official record unless a party requests a court reporter, and

Whereas, the Superior Court in Maricopa County is working towards the development of different ways to create the record – video recording, audio recording, realtime court reporting and regular court reporting - at the discretion of each judge on a case-by-case basis, to provide a timely, affordable and accurate verbatim record of court proceedings,

IT IS ORDERED:

1. The Court Administrator is authorized to negotiate an agreement with the Clerk of the Court to utilize *For the Record* technology to make the official record in designated court proceedings. The agreement shall provide for reasonable staff compensation for operating and monitoring the equipment and creating the digital CD recording.
2. Under A.R.S. §38-424, any judge of the Superior Court in Maricopa County may choose to utilize digital CD recording to create the official record of court proceedings unless a party requests a court reporter. This is a discretionary decision to be made by each judge on a case-by-case basis.
3. When a court reporter is present, the court reporter's notes/transcript shall be deemed the official court record. Any other recordation of the proceedings shall not constitute the official record. When a court reporter is not present and the court proceedings are being digitally recorded, the digital recording shall be deemed the official court record.

4. The Court Administrator shall explore and make recommendations to the Presiding Judge regarding economic incentives for non-pool staff reporters who make themselves available to the Court Reporter Manager to cover proceedings divisions other than their own which, may include assignment to high transcript divisions.
5. For proceedings recorded on *For the Record* technology, the Presiding Judge approves transcription of the proceedings by private transcription services contracted by the court. A judge may wish to consult with the parties regarding the costs of transcription.
6. Nothing in this order shall preclude the Clerk of the Court from digitally recording court proceedings to capture information required for the preparation of minute entries if the judge elects not to utilize digital recording to create the official record of court proceedings.

DATED this _____ day of September, 2001

Colin F. Campbell, Presiding Judge

Copies: Gordon M. Griller, Court Administrator
 Marcus W. Reinkensmeyer, Chief Deputy Court Administrator
 Rich Pagoria, Director, Court Human Resources
 Sue Travelstead, Director, Superior Court Education and Training Department
 Helen Cahill, Judicial Officer Trainer
 Michael K. Jeanes, Clerk of the Superior Court
 Carol Schreiber, Clerk's Office
 Will Tagart, Clerk's Office, ITG
 John Barrett, Director, JIS